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February 16, 2023

The Honorable Gary R. Brown
100 Federal Plaza
Courtroom 840
Central Islip, NY 11722-9014

Re: *Merchants Bank of Indiana v. Sprout Mortgage, LLC* (Cause No. 2:22-cv-04480-GRB-SIL) – Response to February 15, 2023 Letter (ECF No. 28)

Dear Honorable Judge Brown:

We represent Plaintiff Merchants Bank of Indiana in the above-captioned action. The purpose of this letter is to respond to Defendant's letter of yesterday, February 15, 2023, (ECF No. 28). To the extent Defendant's letter is a veiled request for an extension of time to respond to, or otherwise adjourn, Plaintiff's Second Rule 56.1 Statement (ECF No. 27), Plaintiff objects. Requiring Defendant to timely file its response will not interfere with the mediation ordered by the Court. If anything, Plaintiff's response will assist the parties and the mediator with any settlement discussions. Accordingly, Plaintiff respectfully submits that this case proceed on parallel tracks.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "J. D. Waller".

John D. Waller